

## JOURNAL OF THE HOUSE.

Monday, July 16, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Almighty God, the Ultimate Source of Wisdom and Compassion, we depend upon You for guidance and direction in addressing both the legislative and personal issues of the day. In Your goodness, help us to make choices and decisions which are in accord with right reason, the best interests of the people and Your ways and values. In these fast-moving times, inspire us to pause on occasion to think through and evaluate correctly current legislative proposals and the date and information which comes to our attention on a daily basis. Grant us the intellectual courage and moral strength to meet the needs of our communities.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of  
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Message from the Governor — Disapprovals and Reductions in General Appropriation Bill.*

General  
Appropriation  
Bill,  
vetoes and  
reductions.

A message from His Excellency the Governor returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2008 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4141] (for message, see House, No. 4155) was filed in the office of the Clerk on Thursday, July 12.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

### *Message from the Governor — General Appropriation Bill Returned with Recommendations of Amendments.*

General  
Appropriation  
Bill,  
amendments.

A message from His Excellency the Governor returning with recommendations of amendments sections 17, 30, 53 and 86 contained in the engrossed Bill making appropriations for the fiscal year 2008 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4141] (for message, see House,

MONDAY, JULY 16, 2007.

No. 4156 – Attachments C to F, inclusive) was filed in the office of the Clerk on Thursday, July 12.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the amendments severally were thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendments recommended by the Governor, the subject-matters (printed as House, Nos. 4157 to 4160, inclusive) were referred, in each instance, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

### *Message from the Governor — Veto.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the school department of the town of Tewksbury [see House, No. 4117, changed] (for message, see House, No. 4161) was filed in the Office of the Clerk on Thursday, July 12.

Tewksbury,  
school  
department.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Galvin of Canton) on the one hundredth anniversary of the Massachusetts Hospital School;

Hospital  
School.

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) congratulating Michael Stephen Koker on receiving the Eagle Award of the Boy Scouts of America; and

Michael  
Stephen  
Koker.

Resolutions (filed by Mr. Turner of Dennis) congratulating Phyllis Robbins Horton on the occasion of her eightieth birthday;

Phyllis  
Robbins  
Horton.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Lepper of Attleboro, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Petitions.*

Representative Scaccia of Boston and Senator Petrucci presented a joint petition (accompanied by bill, House, No. 4162) of Angelo M. Scaccia and Anthony Petrucci (with the approval of the mayor and city council) relative to the at large preliminary election in the city Boston in 2007; and the same was referred, on motion of Mr. Scaccia, to the committee on Rules. Sent to the Senate for concurrence.

Boston,  
elections.

Subsequently, the Senate having concurred, Mr. Scaccia, for said committee on Rules, then reported on the foregoing petition, a Bill relative to the at large preliminary election in the city of Boston in 2007 (House, No. 4162) [Local Approval Received]. Read; and

Boston,  
elections.

referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Scaccia of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Lepper of Attleboro, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Brockton,  
housing  
land.

Mr. Kennedy of Brockton presented a petition (accompanied by bill, House, No. 4164) of Christine E. Canavan and Geraldine Creedon (with the approval of the mayor and city council) that the city of Brockton be authorized to convey certain land to the housing authority of said city for construction of affordable housing; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

#### *Papers from the Senate.*

##### *Bills*

Daniel Curran,  
sick leave bank.

Establishing a sick leave bank for Daniel Curran, an employee of the Department of Correction (Senate, No. 2280) (on a petition); and

John J. Bish,  
sick leave bank.

Establishing a sick leave bank for John J. Bish, an employee of the District Court Department (Senate, No. 2285, amended in the second sentence by striking out the words "East Brookfield division of the") (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Petitions were referred, in concurrence, as follows:

Wrentham,  
recall  
elections.

Petition (accompanied by bill, Senate, No. 2290) of Scott P. Brown and Richard J. Ross (by vote of the town) for legislation to provide for recall elections in the town of Wrentham. To the committee on Election Laws.

Tyngsborough,  
fund.

Petition (accompanied by bill, Senate, No. 2291) of Steven C. Panagiotakos (by vote of the town) for legislation to create the recreational field fund in Tyngsborough. To the committee on Municipalities and Regional Government.

#### *Reports of Committees.*

Veterans,  
gaming  
licenses.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 885) of Anthony J. Verga and others relative to the exemption of fees for veterans for hunting and fishing licenses in the Commonwealth,— and recommending that the same be referred to the committee on Veterans and Federal Affairs;

By Mr. Mariano of Quincy, for the committee on Financial Services, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1076) of John W. Scibak and others for legislation to expand access to dental coverage,— and recommending that the same be referred to the committee on Health Care Financing; and

Dental  
coverage.

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of so much of the petition (being sections 4 to 20, inclusive, 34 to 38, inclusive and 40 to 43, inclusive) (accompanied by bill, House, No. 2401) of Joseph F. Wagner and others for legislation to increase the homeland security of the commonwealth by merging the Massachusetts Bay Transportation Authority police department into the department of state police,— and recommending that said sections be referred to the committee on Public Service.

MBTA and  
State Police.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Ms. Balser of Newton, for the committee on Mental Health and Substance Abuse, on a petition, a Bill improving access to rehabilitation counseling (House, No. 1874, changed in sections 1,2,3,4 and 5, in lines 6 and 7, in each instance, by striking out the words "specializes in the practice of psychiatry" and inserting in place thereof, in each instance, the words "is physician board certified in psychiatry".).

Rehabilitation  
counseling.

By the same member, for the same committee, on a petition, a Bill relative to the civil commitment of women for alcoholism and substance abuse to M.C.I. Framingham (House, No. 1889, changed in section 6, in line 6, by striking out the word "psychology" and inserting in place thereof the word "psychiatry").

Women,  
civil  
commitment.

By the same member, for the same committee, on the petition, a Bill regarding rights of persons receiving services from program or facilities of the Department of Mental Health (House, No. 1895, changed in line 2 by striking out "—" and inserting in place thereof "2004" and in line 18 by inserting after "30" the word "business").

Mental  
health patients,  
services.

By the same member, for the same committee, on a petition, a Bill relative to reimbursement for drugs to treat mental illness (House, No. 1907, changed in line 6 by striking out the words "such as" and inserting in place thereof the word "including," and in line 11 by striking out the words "anti depressant" and inserting in place thereof the word "antidepressant").

Mental  
illness,  
reimbursement.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill to promote fair contract provisions (House, No. 3266). Read; and referred, under Rule 33, to the committee on Ways and Means.

Construction,  
fair payments.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Internet hunting.  
Taunton.

Senate bills

To prohibit internet hunting (Senate, No. 860, amended);

Establishing the Taunton economic development fund (Senate, No. 1192) [Local Approval Received];

Rehoboth,  
liquor  
license.

Authorizing the town of Rehoboth to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2270); and [Local Approval Received];

Ashburnham,  
liquor license.

Authorizing the town of Ashburnham to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2271); and [Local Approval Received];

House bills

Canton,  
Pushard Field.

Designating a certain parcel of land in the town of Canton as the Clyde S. Pushard Field (House, No. 750);

State Employees  
Credit Union.

Relative to the Massachusetts State Employees Credit Union (House, No. 1015);

Condominium  
titles.

To simplify the transfer of title to condominium units (House, No. 1246);

MassHealth  
program.

Regarding equality in the MassHealth program (House, No. 4107);

Loan  
applications.

Relative to the confidentiality of loan applications (House, No. 4146);

Foxborough,  
liquor  
licenses.

Authorizing the town of Foxborough to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4147) [Local Approval Received]; and

Salem,  
liquor  
license.

Relative to additional liquor license in the city of Salem (House, No. 4148) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Uninsured  
motorists,  
discourage.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill to discourage uninsured motorists by limiting their bodily injury liability compensation (House, No. 915).

Autism,  
Medicaid.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on Senate, No. 281 and House, No. 493, a Bill relative to the children's autism medicaid waiver (House, No. 493).

Long term  
care  
claims.

By the same member, for the same committee, on House, Nos. 1134 and 1135, a Bill relative to nursing facility and long term care claims (House, No. 1134).

MassHealth  
providers,  
audits.

By the same member, for the same committee, on House, Nos. 1141 and 1156, a Bill to streamline audits of providers rendering services to persons eligible for MassHealth benefits (House, No. 1156).

Nantucket  
land,  
lawful  
purpose.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill approving the town of Nantucket to use, or to sell, convey or otherwise dispose of certain land situated in the town of Nantucket for any lawful purpose (printed as Senate, No. 2225) [Local Approval Received].

Nantucket  
Island,  
land bank  
conveyance.

By the same member, for the same committee, on a petition, a Bill approving the Nantucket Islands Land Bank and the town of Nantucket to use, or to sell, convey or otherwise dispose of certain

land situated in the town of Nantucket for any lawful purpose (printed as Senate, No. 2227) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

### *Emergency Measures.*

The engrossed Bill to reduce the reliance on property taxes through municipal health care (see House, No. 4110, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Municipal  
health  
insurance.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

The engrossed Bill to reduce the stress on local property taxes through enhanced pension fund investment (see House, No. 4125, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Pension fund  
investment.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

### *Engrossed Bills and Resolve.*

Engrossed bills

Establishing the Rehoboth agricultural and natural resources preservation council (see House, No. 2032, amended); and

Bills  
enacted.

Relative to the elections of the city of Worcester (see House, No. 4131, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Resolve  
passed.

The engrossed Resolve reviving and continuing and increasing the scope of the special commission relative to ending homelessness in the Commonwealth (see House, No. 4151) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

### *Orders of the Day.*

Senate bills

Relative to the Newton Community Development Authority and the Newton Housing Authority (Senate, No. 1162); and

Third  
reading  
bills.

Relative to municipal real estate tax notices (Senate, No. 1691);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third

reading  
bill.

The House Bill establishing a sick leave bank for Donna Towner, an employee of the Trial Court (House, No. 4114), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

*Recess.*

At ten minutes before twelve o'clock noon, on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock; and at eighteen minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Bill  
enacted.

*Engrossed Bill.*

The engrossed Bill relative to the use of certain school building assistance program reimbursements to the city of Medford (see House, No. 4096, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Next  
sitting.

*Order.*

On motion of Mr. DiMasi of Boston,—  
*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

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At a quarter before one o'clock P.M., on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M.